

AMENDED IN SENATE APRIL 7, 2011

SENATE BILL

No. 465

Introduced by Senator Wright

February 16, 2011

~~An act to amend Section 10618.5 of the Welfare and Institutions Code, relating to public social services. An act to amend Sections 26150 and 26155 of the Penal Code, relating to firearms.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 465, as amended, Wright. ~~Public social services: CalFresh, Medi-Cal, and Healthy Families. Firearms: concealed firearm license.~~

Existing law provides that when a person applies for a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person, the sheriff of a county or the chief or other head of a municipal police department of any city or city and county may issue a license to that person upon proof of certain requirements, including that good cause exists for the issuance of the license.

This bill would provide that the good cause requirement would be deemed met for any applicant who is a member of Congress, a statewide elected official, or a Member of the Legislature, for purposes of protection or self-defense, and that those persons would be required to comply with all other requirements for obtaining or renewing the license, as specified.

~~Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as the CalFresh Program, formerly the Food Stamp Program, under which food stamps allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services,~~

~~under which basic health care services are provided to qualified low-income persons. Existing law creates the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health, dental, and vision benefits to eligible children pursuant to the federal Children's Health Insurance Program.~~

~~Existing law requires a county welfare department to send any food stamp applicant who is determined to be eligible for CalFresh and who does not indicate on his or her application an interest in enrolling in the Medi-Cal program a copy of a specified notice developed by the county to inform CalFresh recipients with information regarding the Medi-Cal program and the Healthy Families Program.~~

~~This bill would require the notice provided by the county to be made within 90 days of the determination of CalFresh eligibility. By imposing a higher level of service on county welfare departments in connection with administering CalFresh, this bill would create a state-mandated local program.~~

~~This bill also would make various nonsubstantive, technical changes.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes-no. State-mandated local program: yes-no.~~

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 26150 of the Penal Code is amended to
- 2 read:
- 3 26150. (a) When a person applies for a license to carry a pistol,
- 4 revolver, or other firearm capable of being concealed upon the
- 5 person, the sheriff of a county may issue a license to that person
- 6 upon proof of all of the following:
- 7 (1) The applicant is of good moral character.
- 8 (2) Good cause exists for issuance of the license. *The good cause*
- 9 *requirement shall be deemed met for any applicant who is a*
- 10 *member of Congress, a statewide elected official, or a Member of*
- 11 *the Legislature, for purposes of protection or self-defense, and*

1 *these persons shall comply with all other requirements for*
2 *obtaining or renewing a license pursuant to this article.*

3 (3) The applicant is a resident of the county or a city within the
4 county, or the applicant's principal place of employment or
5 business is in the county or a city within the county and the
6 applicant spends a substantial period of time in that place of
7 employment or business.

8 (4) The applicant has completed a course of training as described
9 in Section 26165.

10 (b) The sheriff may issue a license under subdivision (a) in
11 either of the following formats:

12 (1) A license to carry concealed a pistol, revolver, or other
13 firearm capable of being concealed upon the person.

14 (2) Where the population of the county is less than 200,000
15 persons according to the most recent federal decennial census, a
16 license to carry loaded and exposed in only that county a pistol,
17 revolver, or other firearm capable of being concealed upon the
18 person.

19 *SEC. 2. Section 26155 of the Penal Code is amended to read:*

20 26155. (a) When a person applies for a license to carry a pistol,
21 revolver, or other firearm capable of being concealed upon the
22 person, the chief or other head of a municipal police department
23 of any city or city and county may issue a license to that person
24 upon proof of all of the following:

25 (1) The applicant is of good moral character.

26 (2) Good cause exists for issuance of the license. *The good cause*
27 *requirement shall be deemed met for any applicant who is a*
28 *member of Congress, a statewide elected official, or a Member of*
29 *the Legislature, for purposes of protection or self-defense, and*
30 *these persons shall comply with all other requirements for*
31 *obtaining or renewing a license pursuant to this article.*

32 (3) The applicant is a resident of that city.

33 (4) The applicant has completed a course of training as described
34 in Section 26165.

35 (b) The chief or other head of a municipal police department
36 may issue a license under subdivision (a) in either of the following
37 formats:

38 (1) A license to carry concealed a pistol, revolver, or other
39 firearm capable of being concealed upon the person.

(2) Where the population of the county in which the city is located is less than 200,000 persons according to the most recent federal decennial census, a license to carry loaded and exposed in only that county a pistol, revolver, or other firearm capable of being concealed upon the person.

(c) Nothing in this chapter shall preclude the chief or other head of a municipal police department of any city from entering an agreement with the sheriff of the county in which the city is located for the sheriff to process all applications for licenses, renewals of licenses, and amendments to licenses, pursuant to this chapter.

SECTION 1. ~~Section 10618.5 of the Welfare and Institutions Code is amended to read:~~

~~10618.5. (a) The county welfare department shall send any CalFresh applicant who is determined to be eligible for CalFresh and who does not indicate on his or her application an interest in enrolling in the Medi-Cal program a copy of the notice developed pursuant to subdivision (b), within 90 days of the determination of eligibility.~~

~~(b) (1) Each county welfare department shall develop a notice informing individuals identified pursuant to subdivision (a) that they may be entitled to receive Medi-Cal benefits and requesting their permission to use the information in the CalFresh recipient's case file to make a determination of eligibility for the Medi-Cal program.~~

~~(2) The notice shall also include a request for permission to forward the information in the CalFresh recipient's case file to the Healthy Families Program administrator for eligibility determination if the individual is determined to be eligible to participate in the Medi-Cal program with a share of cost, or is determined to be ineligible for Medi-Cal.~~

~~(3) To apply for medical assistance under the Medi-Cal program, the CalFresh recipient shall sign, date, and return the notice requesting that an eligibility determination be made.~~

~~(4) Upon receipt of the notice, the county welfare department shall make an eligibility determination by utilizing the information in the CalFresh recipient's case file or paper application. The Medi-Cal application date shall be the date the notice is received by the county welfare department.~~

~~(5) If the CalFresh case file does not include sufficient information to establish Medi-Cal program eligibility, the county~~

1 welfare department shall request, either orally or in writing,
2 additional information from the CalFresh recipient.

3 (6) The notice shall be written in culturally and linguistically
4 appropriate language and at an appropriate literacy level. The
5 notice shall include information on the Medi-Cal program and the
6 Healthy Families Program, a telephone number that CalFresh
7 recipients may call for additional information, and a prepaid means
8 of returning the notice to the county welfare department to begin
9 the eligibility determination process.

10 (e) If an individual identified in subdivision (a) or (b) is
11 determined to be eligible to participate in the Medi-Cal program
12 with a share of cost, or is determined to be ineligible for Medi-Cal,
13 information pertinent to the CalFresh recipient's eligibility for the
14 Healthy Families Program shall be forwarded by the county welfare
15 department to the Healthy Families Program statewide
16 administrator for immediate processing. If there is insufficient
17 information to establish Healthy Families Program eligibility, the
18 administrator shall request, either orally or in writing, additional
19 information from the CalFresh recipient.

20 (d) Counties shall include the cost of implementing this section
21 in their annual administrative budget requests to the State
22 Department of Health Care Services.

23 SEC. 2. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.